

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NHAK MEAS

Petitioner,

v.

CIVIL ACTION NO.

15-13966-JCB

ANTONE MONIZ, SUPERINTENDENT

Defendants.

MEMORANDUM AND ORDER

BOAL, Chief U.S.M.J.

On November 23, 2015, petitioner Nhak Meas, now incarcerated at the Plymouth County Correctional Facility, submitted for filing his self-prepared petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 naming as respondent the United States Department of Homeland Security Immigration and Customs Enforcement. Petitioner seeks release from custody pursuant to Zadvydas v. Davis, 533 U.S. 678 (2001). Petitioner paid the \$5.00 filing fee.

Upon review of the pleadings, it is hereby ORDERED

- (1) Petitioner's immediate custodian, Superintendent Antone Moniz, Superintendent of the Plymouth County Correctional Facility, shall be substituted as a respondent to this action. See Rumsfeld v. Padilla, 542 U.S. 426, 439 (2004) (immediate custodian of petitioner is proper respondent in habeas action);
- (2) The Clerk shall serve copies of the habeas petition and this Order by mailing copies to Superintendent Moniz AND the United States Attorney for the District of Massachusetts;
- (3) The Clerk shall provide the parties with the form for Consent/Refusal of Magistrate Judge Jurisdiction and

the instructions for that form ("consent package");¹

- (4) The Respondent shall, within 21 days of receipt of this Service Order, file an answer (or other proper responsive pleading) to the habeas petition; and
- (5) The respondent shall provide the Court with at least 48 hours advance notice of any scheduled removal of petitioner, and any scheduled transfer of the petitioner out of the jurisdiction.

SO ORDERED.

/s/ Jennifer C. Boal
JENNIFER C. BOAL, CHIEF
UNITED STATES MAGISTRATE JUDGE

DATED: December 8, 2015

¹This action was randomly assigned to this Court pursuant to the District Court's Consent Program.